



U.S. ARMY LEGAL SERVICES AGENCY ENVIRONMENTAL LAW DIVISION



AIR ISSUES UPDATE



AGENDA



- Contingency Operations and Title V Operating Permits
- Conformity Rule Proposals
- PM 2.5
- New Source Rule Modifications
- Fort Richardson and Fort Wainwright
- Other Issues



CONTINGENCY OPERATIONS AND TITLE V OPERATING PERMITS



- Many operating permits do not contain language to address emissions due to contingency operations
- Regulators question legal authority for terms in those permits that do contain language
- Methods to address “surge” conditions vary with jurisdiction
- CAASSC efforts ongoing



CONFORMITY RULE PROPOSALS

Issue: Conformity Rule does not contain an exemption for military readiness

RRPI Proposal

Details - 3 years

Status - Possible hearing

CAASSC Proposal

Amend definitions in EPA regulations

**“emergency,” “combat”, “combat
use”**



PM 2.5



Issue: PM 2.5 standards could restrain operations

Readiness Activities vice Base Operations

Army developing PM 2.5 strategy

EPA Draft Implementation Rule in Dec 03



NEW SOURCE RULE MODIFICATIONS

27 Aug 03 EPA Rule

**Creates a category of activities
automatically considered RMRR**

**Designed to provide certainty as to RMRR
- remove disincentive to engage in RMRR**

Four Requirements

Four Approaches

Definitions



Fort Richardson and Fort Wainwright



Consent Agreement and Final Order

Summary of ALJ Opinion and EAB Opinion



OTHER ISSUES

Emissions Reduction Credits

Vehicle Inspection and Maintenance Programs

Leak Rate Calculations (ODS and Air Conditioning Units)

